



IFW

PATENT

Attorney Docket No.: 2901US(203-3634PCTUS)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|   |                 |              |
|---|-----------------|--------------|
| Applicant(s): Chapman et al.  | Examiner:       | Not Assigned |
| Serial No.: 10/552,666  | Group Art Unit: | Not Assigned |
| Filed: October 4, 2005  | Dated:          | June 8, 2006 |
| For: ELECTROSURGICAL INSTRUMENT WHICH REDUCES<br>THERMAL DAMAGE TO ADJACENT TISSUE            |                 |              |
| Mail Stop Amendment<br>Commissioner for Patents<br>P.O. Box 1450<br>Alexandria, VA 22313-1450 |                 |              |

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to Applicant(s) duty of disclosure, the information listed in the attached form PTO-1449 is brought to the attention of the Examiner. It is respectfully submitted that copies of the references listed on pages 1-2 are not required since this application was filed after June 30, 2003 pursuant to 51 C.F.R. 1.98. Copies of foreign references and publications listed on page 3 of form PTO-1449 are enclosed.

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

---

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(e)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 8, 2006.

Dated: June 8, 2006

\_\_\_\_\_  
Edward C. Meagher

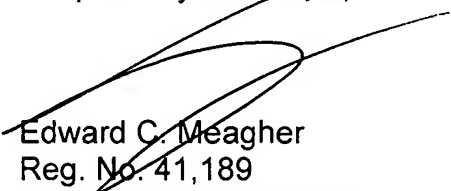
The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

- ☐ This information disclosure statement is being filed within three (3) months of the filing date of this application.
- ☐ This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application.
- ☒ To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114.
- ☐ Enclosed herewith is a certificate under 37 C.F.R. §1.97(e)(1).
- ☐ Enclosed herewith is a petition under 37 C.F.R. §1.97(d)(2).
- ☐ Enclosed by check is the petition fee of \$130.00. (37 C.F.R. §1.17(i)(1))
- ☐ Please charge the \$130.00 petition fee to Deposit Account No. **21-0550**.
- ☐ Enclosed by check is the \$180.00 fee required by 37 C.F.R. §1.17(p).
- ☐ Please charge the \$180.00 fee required by 37 C.F.R. §1.17(p) to Deposit Account No. **21-0550**.

[X] Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account **21-0550**. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. **21-0550** therefor.

The claims of the application as now presented are believed to patentably distinguish over the prior art and to be in condition for allowance. Early and favorable consideration of the case is respectfully requested.

Respectfully submitted,



Edward C. Meagher  
Reg. No. 41,189  
Attorney for Applicant(s)

***Carter, DeLuca, Farrell & Schmidt, LLP***

445 Broad Hollow Road  
Suite 225  
Melville, New York 11747  
Tel.: (631) 501-5700  
Fax: (631) 501-3526

ECM/gm



without references

Sheet

1 of

3

Form PTO-144

# INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

Docket Number (Optional)

2901US(203-3634PCTUS)

Application Number

10/552,666

Applicant

Chapman et al.

Filing Date

October 4, 2005

Group Art Number

## U.S. PATENT DOCUMENTS

| Examiner Initial | Document Number    | Date          | Name                 | Class | Subclass | Filing Date if Appropriate |
|------------------|--------------------|---------------|----------------------|-------|----------|----------------------------|
|                  | 4,655,216          | Apr. 7, 1987  | Tischer              |       |          |                            |
|                  | 5,219,354          | Jun. 15, 1993 | Choudhury et al.     |       |          |                            |
|                  | 5,601,601          | Feb. 11, 1997 | Tal et al.           |       |          |                            |
|                  | 5,961,514          | Oct. 5, 1999  | Long et al.          |       |          |                            |
|                  | 5,984,939          | Nov. 16, 1999 | Yoon                 |       |          |                            |
|                  | 6,387,094          | May 14, 2002  | Eitenmuller          |       |          |                            |
|                  | 6,652,521          | Nov. 25, 2003 | Schulze              |       |          |                            |
|                  | 6,942,662          | Sep. 13, 2005 | Goble et al.         |       |          |                            |
| Examiner Initial | Publication Number | Date          | Name                 | Class | Subclass | Filing Date if Appropriate |
|                  | US2002/0013583 A1  | 1/31/02       | CAMRAN ET AL.        |       |          |                            |
|                  | US2002/0099372 A1  | 7/25/02       | SCHULZE ET AL.       |       |          |                            |
|                  | US2002/0107517 A1  | 8/8/02        | WITT ET AL.          |       |          |                            |
|                  | US2002/0111624 A1  | 8/15/02       | DAVID A. WITT ET AL. |       |          |                            |
|                  | US2003/0069571 A1  | 4/10/03       | TREAT ET AL.         |       |          |                            |
|                  | US2003/0139741 A1  | 7/24/03       | GOBLE ET AL.         |       |          |                            |
|                  | US2003/0139742 A1  | 7/24/03       | WAMPLER ET AL.       |       |          |                            |
|                  | US2003/0158549 A1  | 8/21/03       | SWANSON              |       |          |                            |
|                  | US2003/0199869 A1  | 10/23/03      | JOHNSON ET AL.       |       |          |                            |
|                  | US2003/0220637 A1  | 11/27/03      | CSABA TRUCKAI ET AL. |       |          |                            |
|                  | US2003/0236325 A1  | 12/25/03      | BONORA               |       |          |                            |

Examiner

Date Considered

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

Form PTO-1449

# **INFORMATION DISCLOSURE CITATION IN AN APPLICATION**

(Use several sheets if necessary)

Docket Number (Optional)

2901US(203-3634PCTUS)

Application Number

10/552,666

Applicant

Chapman et al.

Filing Date

October 4, 2005

Group Art Number

## **U.S. PATENT DOCUMENTS**

| Examiner<br>Initial | Publication<br>Number | Date     | Name             | Class | Subclass | Filing Date<br>if Appropriate |
|---------------------|-----------------------|----------|------------------|-------|----------|-------------------------------|
|                     | US2004/0049185 A1     | 3/11/04  | LATTERELL ET AL. |       |          |                               |
|                     | US2004/0116979 A1     | 6/17/04  | TRUCKAI ET AL.   |       |          |                               |
|                     | US2004/0230189 A1     | 11/18/04 | KEPPEL           |       |          |                               |
|                     | US2005/0004564 A1     | 1/6/05   | WHAM ET AL.      |       |          |                               |
|                     | US2005/0033278 A1     | 2/10/05  | MCCLURKEN ET AL. |       |          |                               |
|                     | US2005/0101951 A1     | 5/12/05  | WHAM ET AL.      |       |          |                               |
|                     | US2005/0101952 A1     | 5/12/05  | LANDS ET AL.     |       |          |                               |
|                     | US2005/0107784 A1     | 5/19/05  | MOSES ET AL.     |       |          |                               |
|                     | US2005/0107785 A1     | 5/19/05  | DYCUS ET AL.     |       |          |                               |
|                     | US2005/0113818 A1     | 5/26/05  | SARTOR ET AL.    |       |          |                               |
|                     | US2005/0113819 A1     | 5/26/05  | WHAM ET AL.      |       |          |                               |
|                     | US2005/0113826 A1     | 5/26/05  | JOHNSON ET AL.   |       |          |                               |
|                     | US2005/0113827 A1     | 5/26/05  | DUMBAULD ET AL.  |       |          |                               |
|                     | US2005/0113828 A1     | 5/26/05  | SHIELDS ET AL.   |       |          |                               |
|                     | US2005/0119655 A1     | 6/2/05   | MOSES ET AL.     |       |          |                               |
|                     | US2005/0149151 A1     | 7/7/05   | ORSZULAK ET AL.  |       |          |                               |
|                     | US2006/0079891 A1     | 4/13/06  | ARTS ET AL.      |       |          |                               |

Examiner

Date Considered

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

Form PTO-1449

**INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION**

(Use several sheets if necessary)

Docket Number (Optional)

2901US(203-3634PCTUS)

Application Number

10/552,666

Applicant

Chapman et al.

Filing Date

October 4, 2005

Group Art Number

**FOREIGN PATENT DOCUMENTS**

|  |  | Document<br>Number | Date     | Country | Class | Subclass | Translation |    |
|--|--|--------------------|----------|---------|-------|----------|-------------|----|
|  |  |                    |          |         |       |          | Yes         | No |
|  |  | EP1486177A2        | 6/11/04  | EP      |       |          |             |    |
|  |  | EP0875209A1        | 11/4/98  | EP      |       |          |             |    |
|  |  | EP0986990A1        | 3/22/00  | EP      |       |          |             |    |
|  |  | EP1330991A1        | 7/30/03  | EP      |       |          |             |    |
|  |  | EP1532932A1        | 5/25/05  | EP      |       |          |             |    |
|  |  | EP0878169A1        | 11/18/98 | EP      |       |          |             |    |
|  |  | DE 8712328         | 3/31/88  | DE      |       |          |             |    |
|  |  | WO 96/022056       | 7/25/96  | PCT     |       |          |             |    |
|  |  | WO 99/040861       | 8/19/99  | PCT     |       |          |             |    |
|  |  | WO 99/066850       | 12/29/99 | PCT     |       |          |             |    |
|  |  | WO 02/080796       | 10/17/02 | PCT     |       |          |             |    |
|  |  | WO 03/101311       | 12/11/03 | PCT     |       |          |             |    |
|  |  | WO 04/082495       | 9/30/04  | PCT     |       |          |             |    |

**OTHER DOCUMENTS**

|  |   |
|--|---|
|  | Int'l Search Report EP 05013463.4             |
|  | dated September 28, 2005                      |
|  | Int'l Search Report EP 05019130.3             |
|  | dated October 18, 2005                        |
|  | Int'l Search Report EP 05020665.5             |
|  | dated February 16, 2006                       |
|  | Int'l Search Report EP 05020666.3             |
|  | dated February 17, 2006                       |
|  | Int'l Search Report EP 05021779.3             |
|  | dated January 18, 2006                        |
|  | Int'l Search Report EP 05021197.8             |
|  | dated January 31, 2006                        |
|  | Int'l Search Report EP 05021937.7             |
|  | dated January 13, 2006                        |
|  | Int'l Search Report - extended- EP 05021937.7 |
|  | dated March 6, 2006                           |
|  | Int'l Search Report EP 05023017.6             |
|  | dated February 16, 2006                       |
|  | Int'l Search Report EP 05021780.1             |
|  | dated February 9, 2006                        |
|  | Int'l Search Report EP 06002279.5             |
|  | dated March 22, 2006                          |

Examiner

Date Considered

Examiner: Initial if citation considered, whether or nor citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.